

May 6 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 09-0516

STATE OF MONTANA,

Plaintiff and Appellee,

v.

NIEL KELLY MULLARKEY,

Defendant and Appellant.

FILED

MAY 06 2010

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CLERK OF THE SUPREME COURT
STATE OF MONTANA

MOTION FOR EXTENSION OF TIME

COMES NOW, Eli M. Parker, counsel of record for Defendant and Appellant, and respectfully requests an extension of time until May 21, 2010, in which to prepare, file, and serve the Appellant's reply brief in the above-entitled matter. This is Appellant's first extension request for the reply brief. Opposing counsel has been contacted concerning this motion and does not object.

DATED this 6th day of May, 2010.

OFFICE OF THE STATE PUBLIC DEFENDER
Region 2 – Missoula
610 North Woody
Missoula, MT 59802

By: *Joselyn Hunt*
for ELI M. PARKER
Assistant Public Defender

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and accurate copy of the foregoing

Motion for Extension of Time to be mailed to:

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DATED: 5/16/2010 Sarah Brader